

SHROPSHIRE LOCAL PLAN EXAMINATION

Stage 1 Hearing Statement

A0255

*Your unique reference can be found in the Schedule of Respondents (Schedule 3 of document SD014.01) at:

<https://shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/earlier-regulation-18-plan-making-stages-of-consultation/regulation-19-pre-submission-draft-of-the-shropshire-local-plan-consultation/>

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A0514

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Shropshire Local Plan Review Examination

Stage 1: Matters, Issues and Questions

Matter 6: Green Belt and Safeguarding Land

Hearing Statement on behalf of Save Bridgnorth Greenbelt

Tuesday 12th July 2022

Introduction

This Hearing Statement is the third of the following three statements prepared on behalf of *Save Bridgnorth Greenbelt* and in response to the 'Stage 1 Matters Issues and Questions' raised by the Examiners:

- Matter 3 – Development Strategy
- Matter 4 – Housing and Employment Needs
- Matter 6 – Green Belt and Safeguarding Land.

This statement concentrates on issues raised by the Inspectors which relate to the "Green Belt and Safeguarded Land" (Policy SP11 of the Draft Plan), as far as they relate to the proposal in the Draft Plan to allocate additional land adjacent to the Stanmore Business Park for employment development.

The Draft Plan contains other policies that are relevant to "*Save Bridgnorth Greenbelt's*" (SBG) objection to the proposals at Stanmore relating to The Development Strategy (Policies SP1 – SP15) and Employment Land Needs (Policy SP2) which are to be discussed in different sessions of Stage 1 of the Examination. SBG addresses those policies in its Matter 3 or Matter 4 statements as appropriate.

These three statements have been prepared in order to follow the Examination format specified by the Examiners. There is a significant degree of overlap between the questions and issues in each of the three matters. The evidence in SPG's three statements comprise a complete and coherent

objection to the proposed allocations at Stanmore, and the Examiners are asked to have regard to all three of SBG's statements in considering each of Matters, 3, 4 and 6.

Further, Policy S3 relates to the Place Plan area which includes Bridgnorth, and is a product of the strategic thinking behind the Draft Plan as a whole, and is thus likely to crop up as well. It is anticipated that Policy S3 might be scheduled for discussion in Stage 2 of the Examination, but, should the Inspectors believe it would be better considered at the Stage 1 Hearings, SBG will be happy to undertake that discussion during Stage 1.

Summary of the objection

In brief, Save Bridgnorth Greenbelt's concern about the Draft Plan, as expressed in their Regulation 19 submission and in relation to the proposed allocation of two areas of land for employment development adjacent to the existing Employment Site at Stanmore, are,

- i. The proposed allocations at Stanmore are unnecessary, as the existing Stanmore Business Park is not operating to full capacity, and there is no evidence of recent or significant demand for those plots on the existing Stanmore site, or evidence that demand will increase in the Plan period. In any event, there is no explanation of why 11.4 ha. of land is an appropriate level of supply at Stanmore.
- ii. The land upon which the proposed allocations are sited is land that is included in the West Midlands Green Belt. No "exceptional circumstances" have been identified, evidenced or justified, which would indicate that the boundary of the Green Belt should be altered in order to allow the use of the land identified by the Council to be used for employment purposes.
- iii. The amount of land that has been calculated as being appropriate for development in the County is excessive, and the allocations proposed for Stanmore are unnecessary in terms of the overall need in the County and the local need from the Bridgnorth area.
- iv. The plan would not become unsound if the land identified at Stanmore should be deleted as allocated employment sites, and the overall employment strategy would remain unaffected.

National Planning Policy Framework.

The representations by SBG were made having had regard to para.35 of the National Planning Policy Framework, which says that Plans should be examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound.

Plans are 'sound' if they are:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

SBG believe that the proposal to allocate two areas of land at Stanmore do not satisfy these considerations, in particular that:

- i. The Plan makes excessive provision for employment land to meet the area’s needs,
- ii. The proposed allocation of employment land at Stanmore is not justified or evidenced,
- iii. There is no evidence that the allocation of additional land at Stanmore will be delivered over the plan period, and
- iv. The proposed allocations will not enable the delivery of sustainable development.

Para. 140 of the Framework says that,

“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, and where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies.”

Paragraph 140, then, requires ‘exceptional circumstances’ to be “fully evidenced and justified” where a Council is proposing to alter Green Belt boundaries. Court guidance on the ‘exceptional circumstances’ (EC) test confirms that whether or not “exceptional circumstances” exist is a matter of the examiners’ reasonable planning judgement. However, the Court’s have also repeatedly stressed that the mere suitability of a site for a particular form of development is not exceptional (*Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gedling Borough Council* [2015] EWHC 1078 (Admin)), and that in order to be exceptional, the circumstances must “necessitate (our underlining) a revision of the boundary” (*Gallagher Homes Ltd v Solihull Borough Council* [2014] EWHC 1283 (Admin), para 125).

SBG do not accept that there is a necessity for the boundary of the green belt at Stanmore to be altered. In their view:

- i. No exceptional circumstance that would justify a revision to the green belt boundary at Stanmore has been established. In this respect consideration has been given to the

Council's Green Belt Exceptional Circumstances Statement of December 2020 (document EV051), which appears to have been based almost entirely on a report prepared by MacMullen Associates¹ in connection with the proposal for a Garden Village at Stanmore, even though it contains no documentary evidence to support the claims made in relation to demand for expansion space. There is no explanation of why 11.4 ha. is necessary at Stanmore, particularly as it is so inconvenient from the point of view of access for employees. No one has explained why the proposed allocations should equal around 2/3rds of the total existing area at Stanmore when it has taken over 50 years for the existing site to be only partially developed.

- ii. The Council has not produced any evidence that demonstrates that there is an unusually low level of available land or buildings for first time or re-occupation by businesses on the existing Stanmore Site, or elsewhere within the area of influence of Bridgnorth that lie outside the green belt,
- iii. There is no evidence of any assessment carried out by the Council of any other land within or outside the limits of the Bridgnorth development boundary, to assess its suitability for development. There is no indication that other sites of different sizes have been examined to see if a disaggregated approach to land finding might have been appropriate.
- iv. The land proposed for allocation at Stanmore is an inappropriate location for further employment development. The Council concluded, in their Strategic Employment Land Availability Assessment of 2018 (document EV106) that, although the areas of land covered by sites P58a and STC002 were "considered available, achievable and viable for development, subject to any further necessary viability assessments", they were not suitable for development as they were located within the open countryside and the Green Belt, and as such, employment development on the site would be contrary to local and national policy. National policy stipulates that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of a Local Plan.

The information used in Document EV051 relies almost entirely on advice given to the Council by the Estate Manager of the Stanmore Industrial Estate. It does not appear that any significant check on the information given was conducted. There is very little detail given in the assessment although, if there are some 2.8 ha. of land still undeveloped at Stanmore, within the existing Estate then, at a plot ration of 40% there is room to provide a further 11,200 sq.m. of floorspace. Given that only 0.2 ha. of land was developed in Bridgnorth as a whole in the period 2016 – 2019, it is clear that there is plenty of land available to meet the demand that actually exists in Bridgnorth and at Stanmore. The present situation on the Stanmore Estate is explained in greater detail in the Hearing Statement that has been submitted on behalf of *Save Bridgnorth Greenbelt* in relation to Housing and Employment Land Needs.

There is nothing unusual in Estate Managers or Agents receiving enquiries about the availability of employment land. But there is no evidence that the enquiries sought accommodation for

¹ Employment Led Development of a Garden Village Community, prepared by Macmullen Associates March 2020 and attached as Appendix S of Stanmore Consortium representations submitted in response to the Regulation 18 consultation on the draft Local Plan.

engineering or advanced manufacturing, which is what the Council had wanted to target. If the demand was/is as high as the Estate Manger had advised the Council, it is difficult to understand why the Owners of the site do not increase the number of buildings on the site, in unit sizes that would be attractive to prospective occupiers.

Document EV0512 indicates, at para. 7.55 that Stanmore Industrial Estate is considered to be a “centre of excellence for engineering and advanced manufacturing” due to the cluster of businesses within the associated and associated with the engineering and advanced manufacturing sector and the presence of the Marches Centre for Manufacturing and Technology, a state-of-the-art training centre for apprentices.

Advanced manufacturing, including engineering, agri-food and agri-tech, is identified in the Economic Growth Strategy for Shropshire as one of the key growth sectors for the Shropshire economy. In itself, that is not an exceptional circumstance as it is a general matter applicable to the whole County. Further, in itself, it does not point to a location at Stanmore being essential, or even necessary to accommodate these forms of business. Further still, given the nature of the occupiers of the buildings at Stanmore at present, it is clear that there is no sound basis for believing that there is a nucleus of similar businesses clustered at Stanmore, particularly now the MCMT has moved to Telford.

Finally, there are issues relating to sustainability which militate against the Stanmore sites being chosen for development. The reason the development at Stanmore was established in the first place was due to war-time necessity. Following that, it was deemed appropriate in the 1960’s to make use of existing buildings and infrastructure. But the circumstances in which both the war-time airfield and the later Industrial Estate were established are quite different from the present day.

The Stanmore land is separated from Bridgnorth by a steep escarpment which is a significant impediment to people from Bridgnorth walking or cycling to work at Stanmore. Heavy vehicles can sometimes struggle with the climb, and increased traffic on the existing traffic roundabout at the junction of the A442 and he B4363 in Bridgnorth would bring about serious traffic conditions.

Additionally, and especially if waste disposal operators are to be encouraged onto the proposed allocated sites, the living conditions or the residents in the locality will be seriously adversely affected. In particular, the Hobbins would suffer, and the proximity of the Hobbins to the western proposed site is clearly demonstrated by the photograph at Appendix A which shows the area of land cleared by the Stanmore Estate owner in 2021 (without the appropriate felling licence) in readiness, presumably, for the anticipated development of the proposed allocated site. The employment development would be immediately opposite the Hobbins. There are several other residential properties in the immediate vicinity of these allocations whose amenity would be seriously affected. The protection for their enjoyment of their property that had been afforded by the green belt designation would have been taken from them and replaced by a totally unknown future development prospect.

For the reasons set out in this Statement, and also having regard to the evidence provided in SBG’s Matters 3 and 4 Statements, *Save Bridgnorth Greenbelt* submit that no exceptional circumstances

have been demonstrated to justify removing plots (MiM 110 and MiM 111)² from the Green Belt in order to allocate them as employment land and that the proposed allocations are in conflict with NPPF paragraphs 140, 141, 35(b) and (d) and therefore unsound.

² Marked at Plots STC002 and P58a in the Council's Green Belt Review document.